

Notice of Allowability

Application No.

10/607,527

Examiner

Eric Hug

Applicant(s)

UHLIK, JAMES M.

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed November 3, 2006.
2. ☒ The allowed claim(s) is/are 1,3-6,8,9 and 12-42.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Response to Amendment

The following is in response to the amendment filed on November 3, 2006.

Allowable Subject Matter

Claims 1, 3-6, 8, 9, and 12-42 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1, 3-6, 8, 9, 12, 28-32, and 36-40 are allowed, because the prior art does not disclose or suggest a movable float bath comprising a float bath and a transport assembly for the bath, wherein the transport assembly comprises the claimed combination, arrangement, and attachment of at least one rail, at least two supports, and at least one wheel or roller assembly.

Claims 13-27 are allowed, because the prior art does not disclose or suggest an adapter for a float bath that is adjustable to receive molten glass from a plurality of glass melting furnaces and deliver the molten glass to the float bath.

Claim 33 is allowed, because the prior art does not disclose or suggest a float bath having a transport assembly for moving the bath, wherein the transport assembly comprises a wheel assembly and a jack assembly.

Claim 34 is allowed, because the prior art does not disclose or suggest a float bath having a transport assembly for moving the bath, wherein the transport assembly comprises the claimed combination and arrangement of an undercarriage, at least one rail, a jack assembly, and at least one wheel assembly.

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Claim 35 is allowed, because the prior art does not disclose or suggest a float bath having a transport assembly for moving the bath, wherein the transport assembly comprises a portable float bath control system.

Claims 41 and 42 are allowed, because the prior art does not disclose or suggest an adjustable adapter for delivering molten glass from a furnace to a float bath comprising the claimed combination and arrangement of a base with lift and platform, and a carriage with transport assembly.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments filed November 3, 2006 have been fully considered.

Applicant's arguments and amendments to the claims have overcome the rejection under 35 U.S.C. 103(a) set forth previously over Hitchcock (US 1,564,240). Neither Hitchcock nor any other reference applied previously, alone or in combination, does not teach or suggest at least the claimed features discussed above.

The election/restriction by original presentation set forth previously for claims 36-40 has been withdrawn. The claims have been examined on their merits in accordance with claim 1.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Eric Hug